

MESSAGE NO: 5107301 MESSAGE DATE: 04/17/2015

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR CITE DATE:

REFERENCE 5023307, 5023306, 5082306,  
MESSAGE # 5097303  
(s):

CASE #(s): A-570-967

EFFECTIVE DATE: 04/02/2015 COURT CASE #: 15-00031

PERIOD OF REVIEW: 05/01/2012 TO 04/30/2013

PERIOD COVERED: 05/01/2012 TO 04/30/2013

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for cleats (aluminum extrusions) from the People's Republic of China imported by All Points for the period 05/01/2012 through 04/30/2013 (A-570-967)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 4 below.

1. On 01/23/2015 Commerce issued liquidation instructions for aluminum extrusions from the People's Republic of China exported by the PRC-wide entity for the period 05/01/2012 through 04/30/2013, message number 5023306. In paragraph 3b. of that message, Commerce stated that on 10/16/2014, pursuant to 19 CFR 351.225(e), Commerce initiated a formal scope inquiry to determine whether cleats, containing aluminum extrusions and which are mounting devices used to mount items such as pictures and mirrors to a wall for display, that are imported by All Points Industries, Inc. ("All Points") are outside the scope of the antidumping and countervailing duty orders on aluminum extrusions from the People's Republic of China. Commerce instructed CBP, until further notice, to continue to suspend any suspended entries of All Points' imports of cleats until liquidation instructions were issued. On 01/23/2015, Commerce issued liquidation instructions for aluminum extrusions from the People's Republic of China exported by various companies, message number 5023307, which contained similar continued suspension instructions regarding All Point's imports of cleats (see paragraph 2b).

2. On 04/02/2015, Commerce issued a final scope determination stating that cleats, which All Points imports, are within the scope of the antidumping duty order on aluminum extrusions from the People's Republic of China (A-570-967). See message 5097303, dated 04/07/2015.

3. For all shipments of cleats (aluminum extrusions) from the People's Republic of China imported by All Points and entered, or withdrawn from warehouse, for consumption during the period 05/01/2012 through 04/30/2013, liquidate in accordance with the appropriate exporter-specific liquidation rates contained in messages 5023306 and 5023307, as appropriate.

4. These instructions constitute the notice of the lifting of suspension of liquidation for entries of subject merchandise covered by paragraph 3. Unless instructed otherwise, for all other shipments of aluminum extrusions from the People's Republic of China, you shall continue to collect cash

deposits of estimated antidumping duties for the merchandise at the current cash deposit rates or per-unit amounts.

5. The injunction with court number 15-00031 discussed in message number 5082306 dated 03/23/2015 is applicable to the entries which 1) were the subject of the administrative determination published as Aluminum Extrusions From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2012-2013, 79 FR 78784, December 31, 2014 (Inv. No. A-570-967); 2) were exported from China by Zhaoqing New Zhongya Aluminum Co., Ltd., Guangdong Zhongya Aluminum Company Ltd. successor in interest to Zhaoqing New Zhongya Aluminum Co., Ltd., Zhongya Shaped Aluminum (HK) Holding Limited, or Karlton Aluminum Company Ltd. (collectively, the Zhongya Companies); and 3) were entered, or withdrawn from warehouse, for consumption during the period 05/01/2012 through 04/30/2013. Accordingly, until further notice continue to suspend liquidation of these entries until liquidation instructions are issued.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping and/or countervailing duties, CBP shall double the antidumping duty and/or increase the antidumping duty by the amount of the countervailing duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the  
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Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIII: PS.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party